1950

B Live Stock Improvement

File No. 1/50

Legal Deptt.

B **BRANCH**

Subject:— L A. Bill No XXXIV of 1950

A Bill to amend the Bombay

live Stock Improvement Act

1933

Bom. Act No XXXV of 1950

P-13
E

B. Live Stock Improvement 1/50

File No.

Gen. 194 e.

809

Legal Department.

The requisite draft Bill is sent herewith.

2. The subject-matter of the Bill falls under entry 20 in List II in the Seventh Schedule to the Government of India Act, 1935. As the Bill does not relate to any matter enumerated in the Concurrent Legislative List it would be necessary to reserve the same for the consideration of the Governor General with reference to section 107(2) of the Government of India Act, 1935. The Bill does not require any sanction or recommendation under the said Act.

Sd/- 29-10

Additional Secretary to Government.

M.R.D.
17-7-56
C.4

U.R.to A.& F.D.No.12163 dated the 21st October 1949.

Legal Department-.

A Draft Bill incorporating the necessary amendments is sent herewith. The subject matter of the Bill falls under entry 15 in List II in the Seventh Schedule to the Constitution of India. As the Bill does not relate to any matter enumerated in the concurrent Legislative List it would not be necessary to reserve the same for consideration of the President with reference to article 254(2) of the Constitution. The Bill does not require any sanction or recommendation under the said Constitution.

2. The Department may state in the Statement of Objects and Reasons to the Bill the reason for amending sections 7 and 11.

Sd/-
29-5

Additional Secretary to Government.

U.R. to Agriculture and Forest Department, No.8410, dated 1st June 1950.

M.R.D.
17-7-56
C.4

IMMEDIATE.

No.175-L
Legal Department,
Council Hall, Poona, 24th October 19[illegible]

From.
Shri J.R.Dhurandhar,
Additional Secretary to the Government of Bombay,
Legal Department.

To.
The Secretary to the Governor of Bombay.

Subject:- The Bombay Live-Stock Improvement (Amendment) Bill,1950.

Sir,

With reference to article 200 of the Constitution of India, I am directed to forward herewith for the assent of His Excellency the Governor the authentic copy of the Bombay Live-Stock Improvement(Amendment)Bill,1950, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 27th September 1950 and the 10th October 1950, respectively.

2. The subject-matter of the Bill falls under entry 15 in List II in the Seventh Schedule to the Constitution of India. As the Bill does not relate to any matter enumerated in the Concurrent Legislative List, it is not necessary to reserve the Bill for the consideration of the President with reference to article 254(2)of the Constitution of the India.

3. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

4. I also forward herewith one copy of each of the items

1. Bill as introduced in the Bombay Legislative Assembly with the Statement of Objects and Reasons.	Nos,1,2 and 4 and two copies of item No,3 of the papers noted in the margin.
2. Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.	
3. Bill as read for the third time and passed by the Bombay Legislative Council.	
4. Extracts from the proceedings of the Bombay Legislative Assembly dated the 27th September 1950 and of the Bombay Legislative Council dated the 10th October 1950.	

The Bill was not referred to a Select Committe.

Yours faithfully,
Sd/-
24-10
Additional Secretary to Government.

Through:
The Secretary to the Government of Bombay,
Agriculture and Forest Department.

M.R.D.
17-7-56
C.4

No. G.S. -3276

FROM

Shri L.M.Nadkarni, I.C.S.,
SECRETARY TO THE GOVERNOR OF BOMBAY.

To

The Additional Secretary to the Government
of Bombay, Legal Department.

GOVERNMENT HOUSE,
Bombay(6),October, 31, 1950

Subject:- The Bombay Live-Stock Improvement (Amendment) Bill, 1950.

.....

Sir,

With reference to your letter No. 175-L, dated October 24, 1950, I am to return herewith the authentic copy of the Bombay Live-stock Improvement (Amendment)Bill, 1950, with His Excellency the Governor's assent signfied thereon.

Yours faithfully,
Sd/-
Secretary to the Governor of Bombay.

M.R.D.
17-7-56
C.4

ACTS.

Publication of the Bombay Live-Stock Improvement(Amendment) Act,1950.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No.15433.
Bombay Castle, 4th November 1950.

Letter to the Secretary to the Governor,No.175-L,dated the 24th October 1950.

Letter from the Secretary to the Governor,No.G.S.3286, dated the 31st October 1950-;-

"Withreference to your letter No.175-L,dated October 24,1950, I am to return herewith the ahthentic copy of the Bombay Live-stock Improvemnat(Amendment) Bill, 1950, with His Excellency the Governor's assent signfied thereon".

RESOLUTION:- The law should be published as Bombay Act,NoXXXV of 1950, in the Bombay Government Gazette dated the 6th November 1950.

2. The Act should be translated into Marathi,Gujarati, Kannada and Hindi(in Devnagari script) and the translations should be published in the Bombay Government Gazettke.

3. A copy of the Act should be forwarded to the Agriculture and Forest Department.

By order of the Governor of Bombay,

Sd/-
S.L.CHAUDHARI.
Assistant Secretary to Government.

To

The Manager, Government Central Press, Bombay (with a copy of the Act and with a request that 30 Gazette copies of the Act may be forwarded to the Legal Department),
*The Agriculture and Forest Department,
*The Oriental Translator to Government,
The Bombay Legislature Department,
The Director of Publicity, Bombay,
The Enquiry Officer for the Secretariat, Bombay.
} with a copy of the Act,

*with four extra copies of the Act.

M.R.D.
17-7-56
C.4

REGISTERED No. B-1

The
Bombay Government Gazette
PUBLISHED BY AUTHORITY

FRIDAY, 11TH AUGUST 1950.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V

[To be translated into Marathi, Gujarati, Kannada and Hindi (in Devnagari script) and the translations to be published in the "Bombay Government Gazette". The dates of publication to be reported.]

The following Bill is published under the proviso to rule 80 of the Bombay Legislative Assembly Rules :—

L. A. BILL No. XXXIV OF 1950.

A Bill to amend the Bombay Live-stock Improvement Act, 1933.

Bom. XXII of 1933.

WHEREAS it is expedient to amend the Bombay Live-stock Improvement Act, 1933, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Bombay Live-stock Improvement (Amendment) Act, 1950.

Bom. XXII of 1933.

Amendment of section 2 of Bom. XXII of 1933.

2. In section 2 of the Bombay Live-stock Improvement Act, 1933 (hereinafter called the said Act), in clause (*b*),—

(*1*) in sub-clause (*i*), for the words "the Director of Agriculture" the words "the officer empowered in this behalf by the State Government", and

(*2*) in sub-clause (*ii*), for the words "the Director of Agriculture" the words "such officer",

shall be substituted.

Amendment of section 3 of Bom. XXII of 1933.

3. Clause (2) of section 3 of the said Act shall be deleted.

Substitution of new section for section 4 of Bom. XXII of 1933.

4. For section 4 of the said Act, the following new section shall be substituted, namely :—

Live-stock Officer.

"4. The State Government may, by notification in the *Official Gazette*, appoint any officer to be a live-stock officer and assign to such officer such powers and duties under this Act, as it may deem fit."

Amendment of section 7 of Bom. XXII of 1933.

5. Sub-section (*5*) of section 7 of the said Act shall be deleted.

Amendment of section 11 of Bom. XXII of 1933.

6. Sub-section (*3*) of section 11 of the said Act shall be deleted.

Amendment of section 12 of Bom. XXII of 1933.

7. In section 12 of the said Act, in clause (*a*), for the words "an officer of the Agricultural or Veterinary Department" the words "any other officer" shall be substituted.

Amendment of section 18 of Bom. XXII of 1933.

8. In section 18 of the said Act, for the words "agriculture and veterinary" the words "agriculture, animal husbandry and veterinary science or of such other department as the State Government may direct" shall be substituted.

Insertion of new section 24A in Bom. XXII of 1933.

9. After section 24 of the said Act, the following new section shall be inserted, namely :—

Validation of Acts of Director of Animal Husbandry and Veterinary Science.

"24A. Notwithstanding anything contained in this Act, all things done by or on behalf of the Director of Animal Husbandry and Veterinary Science purporting to act in exercise of the powers conferred on the Director of Agriculture under this Act before the date on which the Bombay Live-stock Improvement (Amendment) Act, 1950, came into force, shall be deemed to be and always to have been validly done as required by or under this Act and shall not be deemed to be invalid or called in question merely on the ground that such thing was done by or on behalf of the said Director of Animal Husbandry and Veterinary Science before the said date."

Bom. of 1950

STATEMENT OF OBJECTS AND REASONS.

Section 4 of the Bombay Live-stock Improvement Act, 1933, lays down that the State Government may, by notification in the *Official Gazette*, appoint the Director of Agriculture or any other officer of the department of Agriculture to be a Live-stock Officer and assign to such Officer such powers and duties under the said Act, as they deem fit. Consequent upon the transfer of the subject, "Animal Husbandry and Veterinary Science" from the Director of Agriculture to the Director of Animal Husbandry and Veterinary Science, the Act needs to be amended accordingly.

Sub-section 5 of section 7 and sub-section 3 of section 11 of the Act provide for imposing penalty on the third party not concerned with the ownership of a bull. Government considers that it is undesirable to penalise a third party and holds that it would be the duty of the Live-stock Officer not to issue such notice to a third party but to the actual owner of the breeding bull. It is, therefore, proposed to delete the sub-sections of the aforesaid sections for the purpose.

The present Bill seeks to achieve these objects.

(Signed) M. P. PATIL.

Dated the 3rd August 1950.

By order of the Governor of Bombay,

J. R. DHURANDHAR,
Additional Secretary to the Government of Bombay,
Legal Department.

Bombay, dated the 11th August 1950.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

L. A. BILL No. XXXIV OF 1950.

A Bill to amend the Bombay Live-stock Improvement Act, 1933.

(As read for the third time and passed by the Legislative Assembly on the 27th September 1950.)

Bom. XXII of 1933.

WHEREAS it is expedient to amend the Bombay Live-stock Improvement Act, 1933, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Bombay Live-stock Improvement (Amendment) Act, 1950.

Bom. XXII of 1933.

Amendment of section 2 of Bom. XXII of 1933.

2. In section 2 of the Bombay Live-stock Improvement Act, 1933 (hereinafter called the said Act), in clause (*b*),—

(*1*) in sub-clause (*i*), for the words "the Director of Agriculture" the words "the officer empowered in this behalf by the State Government", and

(*2*) in sub-clause (*ii*), for the words "the Director of Agriculture" the words "such officer",

shall be substituted.

Amendment of section 3 of Bom. XXII of 1933.

3. Clause (2) of section 3 of the said Act shall be deleted.

Bk Hb 251—1

Substitution of new section for section 4 of Bom. XXII of 1933.

4. For section 4 of the said Act, the following new section shall be substituted, namely :—

Live-stock Officer.

"4. The State Government may, by notification in the *Official Gazette*, appoint any officer to be a live-stock officer and assign to such officer such powers and duties under this Act, as it may deem fit."

Amendment of section 7 of Bom. XXII of 1933.

5. Sub-section (*5*) of section 7 of the said Act shall be deleted.

Amendment of section 11 of Bom. XXII of 1933.

6. Sub-section (*3*) of section 11 of the said Act shall be deleted.

Amendn ent of section 12 of Bom. XXII of 1933.

7. In section 12 of the said Act, in clause (*a*), for the words "an officer of the Agricultural or Veterinary Department" the words "any other officer" shall be substituted.

Amendment of section 18 of Bom. XXII of 1933.

8. In section 18 of the said Act, for the words "agriculture and veterinary" the words "agriculture, animal husbandry and veterinary science or of such other department as the State Government may direct" shall be substituted.

Insertion of new section 24A in Bom. XXII of 1933.

9. After section 24 of the said Act, the following new section shall be inserted, namely :—

Validation of Acts of Director of Animal Husbandry and Veterinary Science.

"24A. Notwithstanding anything contained in this Act, all things done by or on behalf of the Director of Animal Husbandry and Veterinary Science purporting to act in exercise of the powers conferred on the Director of Agriculture under this Act before the date on which the Bombay Live-stock Improvement (Amendment) Act, 1950, came into force, shall be deemed to be and always to have been validly done as required by or under this Act and shall not be deemed to be invalid or called in question merely on the ground that such thing was done by or on behalf of the said Director of Animal Husbandry and Veterinary Science before the said date." Bom. of 1950.

123

STATEMENT OF OBJECTS AND REASONS.

Section 4 of the Bombay Live-stock Improvement Act, 1933, lays down that the State Government may, by notification in the *Official Gazette*, appoint the Director of Agriculture or any other officer of the department of Agriculture to be a Live-stock Officer and assign to such Officer such powers and duties under the said Act, as they deem fit. Consequent upon the transfer of the subject, "Animal Husbandry and Veterinary Science" from the Director of Agriculture to the Director of Animal Husbandry and Veterinary Science, the Act needs to be amended accordingly.

Sub-section 5 of section 7 and sub-section 3 of section 11 of the Act provide for imposing penalty on the third party not concerned with the ownership of a bull. Government considers that it is undesirable to penalise a third party and holds that it would be the duty of the Live-stock Officer not to issue such notice to a third party but to the actual owner of the breeding bull. It is, therefore, proposed to delete the sub-sections of the aforesaid sections for the purpose.

The present Bill seeks to achieve these objects.

M. P. PATIL.

Dated the 3rd August 1950.

Government of Bombay

LEGAL DEPARTMENT

[L. A. BILL No. XXXIV OF 1950.]

(As read for the third time and passed by the Lagislative Assembly on the 27th September 1950.)

A Bill to amend the Bombay Live-stock Improvement Act, 1933.

[Shri M. P. PATIL.

MO-v Bk Hb 251

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Registered No. B-1

1.47

The

Bombay Government Gazette

PUBLISHED BY AUTHORITY

MONDAY, 6TH NOVEMBER 1950.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV

Acts of the Bombay Legislature and Ordinances promulgated and Regulations made by the Governor.

CONTENTS.

PAGE

BOMBAY ACT No. XXXV OF 1950—An Act to amend the Bombay Live-stock Improvement Act, 1933 491-492

The following Act of the Bombay Legislature having been assented to by the Governor on the 31st October 1950 is hereby published for general information.

J. R. DHURANDHAR,
Additional Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. XXXV OF 1950.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 6th November 1950.)

An Act to amend the Bombay Live-stock Improvement Act, 1933.

Bom. XXII of 1933.

WHEREAS it is expedient to amend the Bombay Live-stock Improvement Act, 1933, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Bombay Live-stock Improvement (Amendment) Act, 1950.

Bom. XXII of 1933.

Amendment of section 2 of Bom. XXII of 1933.

2. In section 2 of the Bombay Live-stock Improvement Act, 1933 (hereinafter called the said Act), in clause (*b*),—

(*1*) in sub-clause (*i*), for the words "the Director of Agriculture" the words "the officer empowered in this behalf by the State Government", and

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3. Clause (2) of section 3 of the said Act shall be deleted.

Substitution of new section for section 4 of Bom. XXII of 1933.

4. For section 4 of the said Act, the following new section shall be substituted, namely :—

Live-stock Officer.

"4. The State Government may, by notification in the *Official Gazette*, appoint any officer to be a live-stock officer and assign to such officer such powers and duties under this Act, as it may deem fit."

Amendment of section 7 of Bom. XXII of 1933.

5. Sub-section (*5*) of section 7 of the said Act shall be deleted.

Amendment of section 11 of Bom. XXII of 1933.

6. Sub-section (*3*) of section 11 of the said Act shall be deleted.

Amendment of section 12 of Bom. XXII of 1933.

7. In section 12 of the said Act, in clause (*a*), for the words "an officer of the Agricultural or Veterinary Department" the words "any other officer" shall be substituted.

Amendment of section 18 of Bom. XXII of 1933.

8. In section 18 of the said Act, for the words "agriculture and veterinary" the words "agriculture, animal husbandry and veterinary science or of such other department as the State Government may direct" shall be substituted.

Insertion of new section 24A in Bom. XXII of 1933.

9. After section 24 of the said Act, the following new section shall be inserted, namely :—

Validation of Acts of Director of Animal Husbandry and Veterinary Science.

"24A. Notwithstanding anything contained in this Act, all things done by or on behalf of the Director of Animal Husbandry and Veterinary Science purporting to act in exercise of the powers conferred on the Director of Agriculture under this Act before the date on which the Bombay Live-stock Improvement (Amendment) Act, 1950, came into force, shall be deemed to be and always to have been validly done as required by or under this Act and shall not be deemed to be invalid or called in question merely on the ground that such thing was done by or on behalf of the said Director of Animal Husbandry and Veterinary Science before the said date."

Bom. XXXV of 1950.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.